

Department of Public Health
and Human Services

FOOD STAMP PROGRAM

Section:

ABLE BODIED ADULTS WITHOUT
DEPENDENTS

Subject:

Time Clock Exemptions

Supersedes: FS 801-1 (10/01/05)

References: 7 CFR 273.7; 7 CFR 273.24; FS Act section 6 (D)(2)

GENERAL RULE- Individuals **who do not meet a work registration exemption listed in FS 701-1** must be screened to determine if they are Able Bodied Adults Without Dependents (ABAWDS). ABAWDS are limited to three months of food stamp benefits in a three year period.

Example: Bill is a single adult without any children. He applies for food stamp benefits on April 6th and is receiving Unemployment Insurance (UI) through June 30th (verified by MISTICS). Bill has the work registration exemption of receiving UI. Therefore, he is not subject to the ABAWD three month time limit until July 1st. If Bill does not have another work registration exemption or an ABAWD time limit exemption (listed below) after June 30th, he will become subject to the three month time limit on July 1st. This is a known change at the time of application and must be acted on.

EXEMPTIONS: After determining that an individual is an ABAWD without a work registration exemption, determine whether the ABAWD meets any of the following ABAWD exemptions and case note the individual's status with the title "ABAWD". Any one of the following criteria exempt an ABAWD from the three month time limit.

- ≥AGE**
1. Individuals age 17 or younger. The month following the month of the 18th birthday is the first month counted toward the three month limit unless the individual meets another exemption.
 2. Individuals age 50 or older. The month of the 50th birthday counts as an exempt month.
- EMPLOYED**
3. Individuals who are employed, either for wages, self-employment enterprise, in-kind services or non-compensation/volunteer (employment related) or any combination of the above a monthly average of 20 hours per week. (This means a person who worked 80 hours in four weeks would have an average of 20 hours per week for the month.)

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This exemption must be verified via pay stubs, written statement from the employer, or self-employment records. TEAMS case notes must be entered to indicate specifically what verification was used.

NOTE: For verification of **volunteer hours**, do not use any form which ties the agency to the volunteer site (i.e., do not use department or state letterhead or a TEAMS notice). Due to Worker's Compensation concerns, there should be no document that could be considered an agreement between an employer and the department.

NOTE: For individuals hired under contract, view the contract to determine the anticipated number of weeks the individual will be working in the position. Then determine the number of hours per week to evaluate if this exemption exists.

Example: Terms of contract indicate a 12 month contract but only working 9 months out of the year at an average of 40 hours a week. The calculation should be as follows: 9 months x 40 hours per week x an average of 4.3 weeks per month divided by 52 weeks of contract equals = 29.77 hours a week. This person is exempt from ABAWD provisions but not from work registration requirements, the employment must be 30 or more hours a week.

**HOUSEHOLD
MEMBER UNDER 18**

4. An individual is exempt from the ABAWD time limit if he or she is residing in a food stamp household where a member is under age 18, even if the household member who is under 18 is not himself eligible for food stamps, e.g. coded 'DS', 'DQ', not coded 'OU'.

PREGNANT

5. Pregnant individuals who have provided medical documentation of the estimated date of delivery are exempt.

WIA/TAA/FSET

6. Individuals participating in and complying with a Workforce Investment Act (WIA) Program, Trade Adjustment Assistance Act (TAA) program, or Food Stamp Employment and Training (FSET) Program 20 hours a week, average monthly.

NOTE: A combination of employment, volunteering or compliance with a work program can be used to meet an exemption. (e.g., 20 hours per week volunteering at the hospital the first two weeks of the month can be combined with 20 hours per week of WIA the last two

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weeks of the month to allow for the entire month to be
exempt.)

GEOGRAPHIC

In addition to the above individual exemptions, ABAWD individuals living in areas that have been geographically waived from the ABAWD time limit criteria are not limited to receiving three months of food stamps in a 36 month period (FS 802-1).

≥FSET

All mandatory work registrants (coded 'MA' on WOLF) will be referred to the FSET Contractor in the FSET Counties (Missoula, Yellowstone, Lewis and Clark and Silver Bow).

Counties having an FSET Program will use form HCS-545 as a tool to screen ABAWDS for potential ABAWD time clock exemptions. Form HCS-545 is not a required form.

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